

EXECUTIVE JOURNAL.

[ELEVENTH SESSION.]

*The Eleventh Session of the Senate of the United States, begun
December the 7th, 1795.*

WEDNESDAY, DECEMBER 9, 1795.

The following written messages were received from the President of the United States, by Mr. Dandridge, his Secretary:

UNITED STATES, *December 9th, 1795.*

Gentlemen of the Senate:

I lay before you, for your consideration, a treaty of peace, which has been negotiated by General Wayne, on behalf of the United States, with all the late hostile tribes of Indians, north-west of the river Ohio; together with the instructions which were given to General Wayne, and the proceedings at the place of treaty.

Go. WASHINGTON.

UNITED STATES, *December 9th, 1795.*

Gentlemen of the Senate:

I nominate Timothy Pickering, to be Secretary for the Department of State, vice Edmund Randolph, resigned; and

Charles Lee, of Virginia, to be Attorney General of the United States, vice William Bradford, deceased.

Go. WASHINGTON.

The messages were severally read.

Ordered, That they severally lie for consideration.

The treaty and papers referred to in the first mentioned message, were, in part, read, and the further reading thereof was postponed.

THURSDAY, DECEMBER 10, 1795.

The Senate took into consideration the message of the President of the United States, of the 9th instant, and the nominations therein contained, of Timothy Pickering, to be Secretary for the Department of State, vice Edmund Randolph, resigned; and

Charles Lee, of Virginia, to be Attorney General of the United States, vice William Bradford, deceased; and

Resolved, That they advise and consent to their appointments, agreeable to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

UNITED STATES, *December 10th*, 1795.

Gentlemen of the Senate:

I nominate the following persons to fill the offices annexed to their respective names, which became vacant during the recess of the Senate:

John Rutledge, of South Carolina, to be Chief Justice of the Supreme Court of the United States, vice John Jay, resigned.

Elias Boudinot, to be Director of the Mint of the United States, vice William H. De-Saussure, resigned.

John Brooks, of Massachusetts, to be Marshal of and for the Massachusetts District, continued, the legal term of his former appointment having expired.

David Meade Randolph, of Virginia, to be Marshal of and for the Virginia District, continued, the legal term of his former appointment having expired.

Nathaniel Rogers, of New Hampshire, to be Marshal of and for the New Hampshire District, continued, the legal term of his former appointment having expired.

Solomon Porter, of Connecticut, to be Inspector of the Revenue for the port of Hartford, and Surveyor of the same, vice William Adams, deceased.

William Fleming Gaines, of Virginia, to be Inspector of the Revenue for Survey No. 1, in the District of Virginia, vice Drury Ragsdale, resigned.

Joseph Aborn, of Rhode-Island, to be Inspector of the Revenue for the port of Patuxet, and Surveyor for the same, vice Zachariah Rhodes.

Joseph Grayson, of South Carolina, to be Collector for the District of Beaufort, and Inspector of the Revenue for the port of Beaufort, vice Andrew Agnew, superseded.

Moses Kempton, of New Jersey, to be Collector for the District of Burlington, and Inspector of the Revenue for the several ports within the District of Burlington, except the port of Little Egg Harbor, vice John Ross, resigned.

James Benjamin Maxwell, of Georgia, to be Inspector of the Revenue for the port of Savannah, and Surveyor for the District of Savannah, vice John Berrien, resigned.

David Wilson Scott, of Virginia, to be Inspector of the Revenue for the port of Dumfries, and Collector for the District of Dumfries, including Newport, vice Richard M. Scott, resigned.

Ebenezer Graham, of North Carolina, to be Inspector of the Revenue for the port of Bennett's Creek, vice John Baker, resigned.

Lawrence Mooney, of North Carolina, to be Inspector of the Revenue for the port of Winton, vice William Winn, resigned.

Robert Walker, of Virginia, to be Surveyor for the District of Bermuda Hundred, and Inspector of the Revenue for the port of Bermuda Hundred, vice Christopher Roan, resigned.

Go. WASHINGTON.

The message was read.

Ordered, That it lie for consideration.

The papers respecting the treaty with the Western Indians, referred to in the message of the President of the United States, of the 9th instant, were resumed; and after progress in the reading thereof, the Senate adjourned.

FRIDAY, DECEMBER 11, 1795.

The Senate took into consideration the message of the President of the United States, of the 10th instant, and the nominations therein contained, of John Rutledge and others.

Ordered, That the further consideration thereof be postponed to Tuesday next.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

UNITED STATES, *December 11th*, 1795.

Gentlemen of the Senate:

I nominate Joseph Richardson, of Philadelphia, to be Assayer of the Mint of the United States, vice Albion Cox, deceased.

Go. WASHINGTON.

The message was read.

Ordered, That it lie for consideration.

SATURDAY, DECEMBER 12, 1795.

The Senate took into consideration the message of the President of the United States, of the 11th instant, and the nomination therein contained, of Joseph Richardson, of Philadelphia, to be Assayer of the Mint of the United States, vice Albion Cox, deceased; and

Resolved, That they advise and consent to his appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

MONDAY, DECEMBER 14, 1795.

The reading of the papers communicated by message from the President of the United States, of the 9th instant, was resumed.

On motion,

That the President of the United States be requested to lay before the Senate the latest communications he has received from the Minister of the United States at the Court of Madrid.

It was agreed that this motion lie until to-morrow for consideration.

TUESDAY, DECEMBER 15, 1795.

Agreeable to the order of the day, the Senate took into consideration the message of the President of the United States, of the 10th instant, and the nominations therein contained, of John Rutledge, Esq. and others, to offices therein mentioned; and

Resolved, That they advise and consent to the appointments respectively, agreeable to the nominations, except to that of John Rutledge, postponed.

Ordered, That the Secretary lay this resolution before the President of the United States.

On motion,

The Senate resumed the consideration of the message of the President of the United States, of the 10th instant, containing the nomination of John Rutledge, to be Chief Justice of the United States; and

On motion to advise and consent to the appointment, agreeable to the nomination,

It passed in the negative, $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 10, \\ \text{Nays} \dots\dots\dots 14. \end{array} \right.$

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bloodworth, Brown, Burr, Butler, Langdon, Martin, Mason, Read, Robinson, and Tazewell.

Those who voted in the negative, are—Messrs. Bingham, Cabot, Ellsworth, Foster, Frelinghuysen, King, Latimer, Livermore, Marshall, Paine, Ross, Rutherford, Strong, and Trumbull.

Ordered, That the Secretary lay this resolution before the President of the United States.

On motion,

Ordered, That the consideration of the treaty made by General Wayne with the Western Indians, referred to in the message of the President of the United States, of the 9th instant, be the order of the day for Friday.

The Senate took into consideration the motion made yesterday,

That the President of the United States be requested to lay before the Senate the latest communications he has received from the Minister of the United States at the Court of Madrid.

And, after debate, the motion was withdrawn.

WEDNESDAY, DECEMBER 17, 1795.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

UNITED STATES, *December 17th*, 1795.

Gentlemen of the Senate:

I nominate William Keais, of North Carolina, to be Collector for the port of Washington, and Inspector of the Revenue for the same, vice Nathan Keais, deceased.

Go. WASHINGTON.

The message was read.

Ordered, That it lie for consideration.

FRIDAY, DECEMBER 18, 1795.

The Senate took into consideration the message of the President of the United States, of the 17th instant, and the nomination therein contained, of

William Keais, of North Carolina, to be Collector for the port of Washington, and Inspector of the Revenue for the same, vice Nathan Keais, deceased.

Resolved, That they advise and consent to his appointment, agreeable to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

Agreeable to the order of the day, the Senate took into consideration the treaty made by General Wayne, on behalf of the United States, with the tribes of Western Indians.

On motion,

Ordered, That it be referred to Mr. Burr, Mr. Brown, Mr. Ellsworth, Mr. Ross, and Mr. Strong, to consider and report thereon to the Senate.

MONDAY, DECEMBER 21, 1795.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary :

UNITED STATES, *December 21st*, 1795.*Gentlemen of the Senate:*

Herewith I transmit, for your information and consideration, the original letter from the Emperor of Morocco, recognising the treaty of peace and friendship between the United States and his father the late Emperor; accompanied with a translation thereof, and various documents relating to the negotiation, by which the recognition was effected.

Go. WASHINGTON.

The message and papers were read.

Ordered, That they lie for consideration.

TUESDAY, DECEMBER 22, 1795.

Mr. Burr reported from the committee appointed to consider the treaty made by General Wayne, on behalf of the United States, with the tribes of Western Indians; and the report was adopted.

And on the question to advise and consent to the ratification of the aforementioned treaty,

It passed in the affirmative, Yeas 28.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bingham, Bloodworth, Bradford, Brown, Burr, Butler, Cabot, Ellsworth, Foster, Frelinghuysen, Gunn, Henry, King, Langdon, Latimer, Livermore, Marshall, Martin, Mason, Paine, Read, Robinson, Ross, Strong, Tazewell, Trumbull, Vining, and Walton.

So it was

Resolved, unanimously, That the Senate advise and consent to the ratification of the treaty made by General Wayne, on behalf of the United States, with the tribes of western Indians, communicated in the message of the President of the United States, of the 9th instant.

Ordered, That the Secretary lay this resolution before the President of the United States.

WEDNESDAY, JANUARY 13, 1796.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

UNITED STATES, *January 13th*, 1796.*Gentlemen of the Senate:*

I nominate William Jackson, of Philadelphia, to be Surveyor for the port of Philadelphia, and Inspector of the Revenue for the same, vice Walter Stewart, resigned;

Simons Maxwell, to be Collector for the district of Hardwick, in Georgia, and Inspector of the Revenue for the port of Hardwick, vice Thomas Collier, resigned; and

Stephen Bingham, to be Surveyor for the port of West Point, in the district of York, Virginia, and Inspector of the Revenue for the same, vice Alexander Moore, resigned.

Go. WASHINGTON.

The message was read.

Ordered, That it lie for consideration.

THURSDAY, JANUARY 14, 1796.

The Senate proceeded to the consideration of the message of the President of the United States, of the 13th instant, nominating William Jackson, and others, to offices, respectively.

Resolved, That they do advise and consent to the appointments, agreeable to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

TUESDAY, JANUARY 26, 1796.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

UNITED STATES, *January 26th*, 1796.

Gentlemen of the Senate:

I nominate William Cushing, of Massachusetts, to be Chief Justice of the Supreme Court of the United States;

Samuel Chase, of Maryland, to be one of the Associate Justices of the Supreme Court of the United States, vice John Blair, resigned; and

James McHenry, of Maryland, to be Secretary for the Department of War.

Go. WASHINGTON.

The message was read.

Ordered, That it lie for consideration.

WEDNESDAY, JANUARY 27, 1796.

The Senate proceeded to the consideration of the message of the President of the United States, of the 26th instant, nominating William Cushing, and others, to offices, respectively.

Resolved, That they do advise and consent to the appointment, agreeable to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

MONDAY, FEBRUARY 15, 1796.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

Gentlemen of the Senate:

Herewith I transmit, for your consideration and advice, a treaty of peace and amity, concluded on the fifth day of last September, by Joseph Donaldson, Jr. on the part of the United States, with the Dey of Algiers, for himself, his Divan, and his subjects.

The instructions and other necessary papers relative to this negotiation, are also sent herewith for the information of the Senate.

Go. WASHINGTON.

UNITED STATES, *February 15th*, 1796.

The message and papers were read.

Ordered, That they lie for consideration.

TUESDAY, FEBRUARY 16, 1796.

The Senate took into consideration the treaty made on behalf of the United States with the Dey of Algiers, and communicated by message from the President of the United States.

On motion,

Ordered, That it be postponed until to-morrow.

On motion,

Ordered, That the treaty be printed, confidentially, for the use of the Senate.

WEDNESDAY, FEBRUARY 17, 1796.

The Senate took into consideration the treaty made on behalf of the United States with the Dey of Algiers; and,

On motion,

Ordered, That the further consideration thereof be postponed until to-morrow.

THURSDAY, FEBRUARY 18, 1796.

The Senate resumed the consideration of the treaty made on behalf of the United States with the Dey of Algiers.

On motion, it was agreed that a Committee be appointed to take into consideration the message of the President of the United States, with the treaty above-mentioned, together with the documents accompanying it, and report thereon to the Senate.

On motion, that the committee consist of seven;

It passed in the negative.

On motion,

It was agreed to refer it to a committee to consist of five members: and Mr. Ellsworth, Mr. Cabot, Mr. King, Mr. Langdon, and Mr. Brown, were appointed thereon.

FRIDAY, FEBRUARY 19, 1796.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

UNITED STATES, *February 19th*, 1796.

Gentlemen of the Senate:

I nominate William James Miller, late of Philadelphia, now residing at Calcutta, to be Consul for the United States of America, at Calcutta, and other ports and places on the coast of India, in Asia, vice Benjamin Joy, resigned.

Go. WASHINGTON.

The message was read.

Ordered, That it lie for consideration.

MONDAY, FEBRUARY 22, 1796.

The Senate took into consideration the message of the President of the United States, of the 19th instant, containing the nomination of William James Miller, to be Consul for the United States at Calcutta. Whereupon,

Resolved, That they advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

THURSDAY, FEBRUARY 25, 1796.

Mr. Ellsworth reported from the Committee appointed the 18th instant, to take into consideration the message of the President of the United States, communicating the treaty made with the Dey of Algiers; and the report and sundry documents referring to the treaty, were read.

On motion,

Ordered, That they lie on the table.

FRIDAY, FEBRUARY 26, 1796.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

Gentlemen of the Senate:

I send herewith, the treaty concluded on the 27th of October last, between the United States and Spain, by their respective Plenipotentiaries.

The communications to the Senate referred to in my message of the 16th of December, 1793, contain the instructions to the Commissioners of the United States, Messrs. Carmichael and Short, and various details relative to the negotiations with Spain. Herewith I transmit copies of the documents, authorizing Mr. Pinckney, the Envoy Extraordinary from the United States to the Court of Spain, to conclude the negotiation, agreeably to the original instructions above-mentioned, and to adjust the claims of the United States for the spoliations committed by the armed vessels of his Catholic Majesty on the commerce of our citizens.

The numerous papers exhibiting the progress of the negotiation, under the conduct of Mr. Pinckney, being in the French and Spanish languages, will be communicated to the Senate as soon as the translations which appear necessary shall be completed.

Go. WASHINGTON.

UNITED STATES, *February 26th*, 1796.

The message and papers therein referred to, were in part read.

On motion,

Ordered, That they lie for consideration, and that the treaty be printed for the use of the members.

The report of the committee on the treaty made between the United States and the Dey of Algiers, was further postponed.

MONDAY, FEBRUARY 29, 1796.

The Senate resumed the consideration of the report of the Committee, appointed the 18th instant, on the message of the President of the United States, referring to the treaty made with the Dey of Algiers, which is as follows:

The Committee to whom was referred the President's communication of the 15th instant, report:

That the expense of procuring and transporting to Algiers the naval and military stores included in the *douceur* for peace, will probably amount to

about \$120,000, making the whole *douceur*, and the ransom of the prisoners, about \$763,000; and that, besides the stipulated annuity of 12,000 sequins, the custom of Algiers will render necessary a present, biennially, of nine or ten thousand dollars; and, upon the appointment of a Consul, a present of \$20,000.

That, of the money included in the *douceur* for peace, \$60,000 were paid at the time of signing the treaty; the residue was expected to be paid soon, and when the prisoners should be released, and has probably been paid. And,

That, in the opinion of the Committee, it will be expedient for the Senate to advise and consent to a ratification of the treaty.

On motion to expunge the last clause of the report, as follows: "That, in the opinion of the Committee, it will be expedient for the Senate to advise and consent to a ratification of the treaty:"

And after debate, it was agreed to postpone the consideration of the report until to-morrow.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

Gentlemen of the Senate:

I send, herewith, the papers relating to the negotiation of the treaty with Spain, to which I referred in my message of the 26th instant.

Go. WASHINGTON.

UNITED STATES, *February 29th*, 1796.

The message and papers were read.

Ordered, That they lie for consideration.

TUESDAY, MARCH 1, 1796.

The Senate resumed the consideration of the report of the Committee on the treaty made with the Dey of Algiers, and the motion yesterday made thereon, to expunge the last clause of the report; and, on the question for striking out the clause,

It passed in the negative.

On motion to adopt the following resolution:

That the Senate are of opinion, that the papers which accompanied the President's message, relative to the Algerine treaty, so far as they concern the expenditure of money therein mentioned, do not, in their present situation, authorize the agency of the Senate, because they do not appear to influence any stipulation contained in that treaty, nor to form any independent compact submitted for the advice and consent of the Senate. Without prejudice, therefore, to any question which those papers may hereafter beget, the Senate do advise and consent to the ratification of the treaty of peace and amity concluded at Algiers, on the 5th of September, 1795, between the United States of America and the Dey of Algiers, contained in twenty-two articles, and signed by Vizier Hassan, Bashaw, and Joseph Donaldson. The Senate, however, do advise the President of the United States to seek, by new negotiations with the Dey of Algiers, to render more certain the obligation imposed on the United States by the 22d article, by defining the kind and value of the maritime stores therein mentioned.

On motion to amend the motion, as follows:

Resolved, That the Senate do advise and consent to the ratification of the treaty of peace and amity concluded at Algiers on the 5th of September;

Ordered, That the Secretary lay the resolution before the President of the United States.

The Senate proceeded to the consideration of the treaty made between the United States and his Catholic Majesty, and transmitted, with the message of the President of the United States, of the 26th of February last; and, after debate,

Ordered, That the further consideration thereof be postponed.

THURSDAY, MARCH 3, 1796.

The Senate resumed the consideration of the treaty made between the United States and his Catholic Majesty, and transmitted, with the message of the President of the United States, of the 26th of February last.

On motion, That the Senate agree to the following resolution:

Resolved, (two-thirds of the Senators present concurring therein,) That the Senate do advise and consent to the ratification of the treaty between the United States and his Catholic Majesty, concluded on the 27th of October, 1795, at San Lorenzo el Real.

On motion,

It was agreed to amend the motion, by expunging the words "two-thirds of the Senators present concurring therein."

On the question to agree to the resolution as amended,

It passed in the affirmative—Yeas 26.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bingham, Bloodworth, Bradford, Brown, Burr, Butler, Cabot, Ellsworth, Foster, Gunn, Henry, King, Langdon, Latimer, Livermore, Martin, Mason, Paine, Potts, Robinson, Ross, Strong, Tazewell, Trumbull, Vining, and Walton.

So it was

Resolved, unanimously, That the Senate advise and consent to the ratification of the treaty between the United States and his Catholic Majesty, concluded on the 27th of October, 1795, at San Lorenzo el Real.

Ordered, That the Secretary lay this resolution before the President of the United States.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

UNITED STATES, *March 3d*, 1796.

Gentlemen of the Senate:

I nominate Oliver Ellsworth, of Connecticut, to be Chief Justice of the Supreme Court of the United States, vice William Cushing, resigned.

Go. WASHINGTON.

The message was read.

Ordered, That it lie for consideration.

FRIDAY, MARCH 4, 1796.

The Senate proceeded to consider the message of the President of the United States, of the 3d instant, and the nomination therein contained, of

Oliver Ellsworth, to be Chief Justice of the Supreme Court of the United States, vice William Cushing, resigned.

And on the question to advise and consent to the appointment, agreeable to the nomination,

It passed in the affirmative, { Yeas, 21,
Nay, 1.

The yeas and nays being required by one-fifth of the Senators present, Those who voted in the affirmative, are—Messrs. Bingham, Bloodworth, Bradford, Cabot, Foster, Gunn, Henry, King, Langdon, Latimer, Livermore, Martin, Paine, Potts, Robinson, Ross, Rutherford, Strong, Trumbull, Vining, and Walton.

Mr. Mason voted in the negative.

So it was

Resolved, That the Senate do advise and consent to the appointment, agreeable to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

THURSDAY, MARCH 31, 1796.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

UNITED STATES, *March 31st*, 1796.

Gentlemen of the Senate:

The treaty of amity, commerce, and navigation between the United States and Great Britain, requiring that Commissioners should be appointed to fix certain boundaries between the territories of the contracting parties, and to ascertain the losses and damages represented to have been sustained by their respective citizens and subjects, as set forth in the fifth, sixth, and seventh articles of the treaty: In order to carry those articles into execution, I nominate, as Commissioners on the part of the United States,

For the purpose mentioned in the fifth article, Henry Knox, of Massachusetts;

For the purpose mentioned in the sixth article, Thomas Fitzsimons, of Pennsylvania, and James Innes, of Virginia; and

For the purposes mentioned in the seventh article, Christopher Gore, of Massachusetts, and William Pinckney, of Maryland.

Go. WASHINGTON.

The message was read.

Ordered, That it lie for consideration.

FRIDAY, APRIL 1, 1796.

The Senate resumed the consideration of the message of the President of the United States, of the 31st of March, and the nominations therein contained, of

Henry Knox, and others, Commissioners for carrying into execution certain articles of the treaty made between the United States and Great Britain.

On motion, that the consideration thereof be postponed,

It passed in the negative, { Yeas, 6,
Nays, 15.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bloodworth, Brown, Butler, Martin, Mason, and Tazewell.

Those who voted in the negative, are—Messrs. Bingham, Bradford, Cabot, Foster, Gunn, Henry, King, Latimer, Livermore, Marshall, Paine, Read, Ross, Strong, and Trumbull.

Resolved, That the Senate advise and consent to the appointments respectively, agreeably to the nominations.

Ordered, That the Secretary lay this resolution before the President of the United States.

MONDAY, APRIL 18, 1796.

The following written message was received from the President of the United States, by Mr. Craik, his Secretary:

Gentlemen of the Senate:

I nominate John McIntosh to be Collector and Inspector of the Revenue for the port of Brunswick, in the State of Georgia, in the room of Christopher Hillary, deceased; and

Stephen Skinner to be Surveyor and Inspector of the Revenue for the port of Hartford, in the State of North Carolina, in the room of Josiah Murdaugh, resigned.

Go. WASHINGTON.

UNITED STATES, *April* 18, 1796.

The message was read.

Ordered, That it lie for consideration.

TUESDAY, APRIL 19, 1796.

The Senate resumed the consideration of the message of the President of the United States, of the 18th of April, instant, and the nominations therein contained, of John McIntosh to be Collector and Inspector of the Revenue for the port of Brunswick, in the State of Georgia, in the room of Christopher Hillary, deceased; and

Stephen Skinner to be Surveyor and Inspector of the Revenue for the port of Hartford, in the State of North Carolina, in the room of Josiah Murdaugh, resigned.

Resolved, That the Senate advise and consent to the appointments respectively, agreeable to the nominations.

Ordered, That the Secretary lay this resolution before the President of the United States.

THURSDAY, APRIL 28, 1796.

The following written message was received from the President of the United States, by Mr. Craik, his Secretary:

UNITED STATES, *April* 28th, 1796.

Gentlemen of the Senate:

I nominate Thomas Nelson to be Attorney for the United States, in the District of Virginia, vice Alexander Campbell, who has resigned that office.

Go. WASHINGTON.

The message was read.

Ordered, That it lie for consideration.

FRIDAY, APRIL 29, 1796.

The Senate took into consideration the message of the President of the United States, of the 28th instant, and the nomination therein contained, of

Thomas Nelson, to be Attorney for the United States in the District of Virginia, vice Alexander Campbell, who has resigned that office. Whereupon,
Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

TUESDAY, MAY 3, 1796.

The following written message was received from the President of the United States, by Mr. Craik, his Secretary:

UNITED STATES, *May 2d*, 1796.

Gentlemen of the Senate:

Some time last year, Jeremiah Wadsworth was authorized to hold a treaty with the Cohnawaga Indians, styling themselves the Seven Nations of Canada, to enable the State of New York to extinguish, by purchase, a claim which the said Indians had set up to a parcel of land lying within that State. This negotiation having issued without effecting its object, and the State of New York having requested a renewal of the negotiation; and the Indians having come forward with an application on the same subject, I now nominate Jeremiah Wadsworth to be a Commissioner to hold a treaty with the Cohnawaga Indians, styling themselves the Seven Nations of Canada, for the purpose of enabling the State of New York to extinguish the aforesaid claim.

Go. WASHINGTON.

The message was read.

Ordered, That it lie for consideration.

WEDNESDAY, MAY 4, 1796.

The Senate took into consideration the message of the President of the United States, of the 2d instant, and the nomination therein contained, of Jeremiah Wadsworth, to be a Commissioner to hold a treaty with the Cohnawaga Indians. Whereupon,

Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

The following written message was received from the President of the United States, by Mr. Craik, his Secretary:

Gentlemen of the Senate:

I nominate James A. Thompson, to be Collector and Inspector of the Revenue for the port of Yeocomico, in Virginia, vice Vincent Redman, resigned.

Go. WASHINGTON.

UNITED STATES, *May 4th*, 1796.

The message was read.

Ordered, That it lie for consideration.

THURSDAY, MAY 5, 1796.

The Senate took into consideration the message of the President of the United States, of the 4th instant, and the nomination therein contained, of

James A. Thompson, to be Collector and Inspector of the Revenue for the port of Yeocomico, in Virginia, vice Vincent Redman, resigned. Whereupon,

Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

The following written message was received from the President of the United States, by Mr. Craik, his Secretary:

Gentlemen of the Senate:

I lay before you, for your consideration and advice, an explanatory article proposed to be added to the treaty of amity, commerce, and navigation, between the United States and Great Britain, together with a copy of the full power to the Secretary of State to negotiate the same.

Go. WASHINGTON.

UNITED STATES, *May 5th*, 1796.

The message and papers were read.

Ordered, That they be printed for the use of the Senate.

MONDAY, MAY 9, 1796.

The Senate proceeded to consider the message of the President of the United States, of the 5th instant, referring to an explanatory article of the treaty of amity, commerce, and navigation, between the United States and his Britannic Majesty.

On motion, that the consideration hereof be postponed until to-morrow, It passed in the negative.

And, on the question to consent and advise to the ratification of the explanatory article therein mentioned,

It passed in the affirmative, {	Yeas,	19,
	Nays,	5.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bingham, Bloodworth, Bradford, Cabot, Foster, Frelinghuysen, Gunn, Henry, King, Latimer, Livermore, Marshall, Martin, Potts, Read, Ross, Rutherford, Strong, and Trumbull.

Those who voted in the negative, are—Messrs. Brown, Burr, Robinson, Tattnall, and Tazewell.

So it was

Resolved, (two-thirds of the Senators present concurring therein,) That the Senate do consent to, and advise the President of the United States to ratify the article explanatory of the third article of the treaty of amity, commerce, and navigation, between the United States of America and his Britannic Majesty, laid before the Senate in the message of the President of the United States, dated the 5th day of May, 1796.

Ordered, That the Secretary lay this resolution before the President of the United States.

TUESDAY, MAY 10, 1796.

The following written message was received from the President of the United States, by Mr. Craik, his Secretary:

Gentlemen of the Senate:

I nominate James McDowell to be Inspector of the Revenue for the Sixth Survey in the District of Virginia, vice James Brackenridge, resigned.
Go. WASHINGTON.

UNITED STATES, 9th May, 1796.

The message was read.

Ordered, That it lie for consideration.

WEDNESDAY, MAY 11, 1796.

The Senate took into consideration the message of the President of the United States, of the 9th instant, nominating

James McDowell, to be Inspector of the Revenue for the Sixth Survey in the District of Virginia, vice James Brackenridge, resigned.

Whereupon,

Resolved, That they do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

TUESDAY, MAY 17, 1796.

The following written message was received from the President of the United States, by Mr. Craik, his Secretary:

UNITED STATES, May 17th, 1796.

Gentlemen of the Senate:

An unexpected circumstance having obliged Jeremiah Wadsworth to decline his appointment of Commissioner to hold a treaty with the Cohnawaga Indians, styling themselves the Seven Nations of Canada, I now nominate Abraham Ogden, Commissioner to hold the said treaty.

It having become necessary to remove Sylvanus Walker, Inspector of the Revenue for the Third Survey in the District of South Carolina, I also nominate William Benson to succeed the said Sylvanus Walker, in said office.

Go. WASHINGTON.

The message was read.

Ordered, That it lie for consideration.

WEDNESDAY, MAY 18, 1796.

The Senate took into consideration the message of the President of the United States, of the 17th instant, and the nominations therein contained, of

Abraham Ogden, to be Commissioner to hold a treaty with the Cohnawaga Indians; and

William Benson, to be Inspector of the Revenue for the Third Survey in the District of South Carolina. Whereupon,

Resolved, That they do advise and consent to the appointments respectively, agreeably to the nominations.

Ordered, That the Secretary lay this resolution before the President of the United States.

THURSDAY, MAY 19, 1796.

The following written messages were received from the President of the United States, by Mr. Craik, his Secretary:

Gentlemen of the Senate:

I nominate Rufus King, of New York, to be Minister Plenipotentiary of the United States at the Court of Great Britain, in the room of Thomas Pinckney, who desires to be recalled.

David Humphreys, of Connecticut, to be the Minister Plenipotentiary of the United States at the Court of Spain; William Short, the resident Minister to that Court having desired to be recalled.

Go. WASHINGTON.

UNITED STATES, 19th May, 1796.

Gentlemen of the Senate:

I nominate James Simpson, at present Consul of the United States at Gibraltar, to be their Consul for the kingdom of Morocco.

John S. M. Matthieu, to be their Consul at the city of Naples.

Francis Coffyn, to be their Consul at Dunkirk.

James Holmes, to be their Consul at Belfast, in the kingdom of Ireland.

George Knox, to be their Consul at Kingston upon Hull, in England.

Go. WASHINGTON.

UNITED STATES, May 19th, 1796.

The messages were read.

Ordered, That they severally lie for consideration.

FRIDAY, MAY 20, 1796.

The Senate took into consideration the messages of the President of the United States, of the 19th instant, and the nominations therein contained, of

Rufus King, of New York, to be the Minister Plenipotentiary of the United States at the Court of Great Britain, in the room of Thomas Pinckney, who desires to be recalled.

David Humphreys, of Connecticut, to be Minister Plenipotentiary of the United States at the Court of Spain; William Short, the Resident Minister to that Court, having desired to be recalled.

James Simpson, at present Consul of the United States at Gibraltar, to be their Consul for the kingdom of Morocco.

John S. M. Matthieu, to be their Consul at the city of Naples.

Francis Coffyn, to be their Consul at Dunkirk.

James Holmes, to be their Consul at Belfast, in the kingdom of Ireland.

George Knox, to be their Consul at Kingston upon Hull, in England.

Whereupon,

Resolved, That the Senate do advise and consent to the appointments respectively, agreeable to the nominations.

Ordered, That the Secretary lay this resolution before the President of the United States.

The following written messages were received from the President of the United States, by Mr. Craik, his Secretary:

UNITED STATES, 20th May, 1796.

Gentlemen of the Senate:

I nominate David Howell, of the State of Rhode Island, to be the Commissioner on the part of the United States, for the purpose of ascertaining the River St. Croix, agreeably to the fifth article of the treaty of amity, commerce, and navigation, between the United States and Great Britain, in the room of Henry Knox, declined.

James Sullivan, of Massachusetts, to be the Agent on behalf of the United States, to manage the business of the fifth article of the treaty of amity, commerce, and navigation, between the United States and Great Britain.

Frederick Jacob Wichelhausen, to be the Consul of the United States at the city of Bremen.

Go. WASHINGTON.

UNITED STATES, May 20th, 1796.

Gentlemen of the Senate:

I nominate Oliver Bowen, of Georgia, to be Marshal of the District of Georgia, in the room of Thomas Glasscock, resigned.

Go. WASHINGTON.

The messages were read.

Ordered, That they severally lie for consideration.

SATURDAY, MAY 21, 1796.

The following written message was received from the President of the United States, by Mr. Craik, his Secretary:

UNITED STATES, May 21st, 1796.

Gentlemen of the Senate:

I nominate Matthew Clarkson, of Pennsylvania, to be the Commissioner on the part of the United States, agreeably to the twenty-first article of the treaty of friendship, limits, and navigation, between them and his Catholic Majesty, to examine and decide the claims of the citizens of the United States, for losses sustained in consequence of their vessels and cargoes having been taken by the subjects of his Catholic Majesty, during the late war between France and Spain:

Andrew Ellicott, of Pennsylvania, to be the Commissioner; and

Thomas Freeman, of the District of Columbia, to be the Surveyor, on the part of the United States, to run and mark the southern boundary of the United States, which divides their territory from the Spanish colonies of East and West Florida; agreeably to the second and third articles of the treaty of friendship, limits, and navigation, between the United States and his Catholic Majesty,

Go. WASHINGTON.

The message was read.

Ordered, That it lie for consideration.

The Senate proceeded to the consideration of the message of the President of the United States, of the 20th instant, and the nominations therein contained, of

David Howell, of the State of Rhode Island, to be the Commissioner on the part of the United States, for the purpose of ascertaining the River St. Croix, agreeably to the fifth article of the treaty of amity, commerce, and

navigation, between the United States and Great Britain, in the room of Henry Knox, declined.

James Sullivan, of Massachusetts, to be the Agent on behalf of the United States, to manage the business of the fifth article of the treaty of amity, commerce, and navigation, between the United States and Great Britain.

Frederick Jacob Wichelhausen, to be the Consul of the United States at the city of Bremen.

Whereupon,

Resolved, That they advise and consent to the appointments respectively, agreeably to the nominations.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate proceeded to consider the message of the President of the United States, of the 20th instant, and the nomination therein contained, of Oliver Bowen, of Georgia, to be Marshal of the District of Georgia, in the room of Thomas Glasscock, resigned.

On motion,

Ordered, That the further consideration hereof be postponed to Monday next.

TUESDAY, MAY 24, 1796.

The Senate resumed the consideration of the message of the President of the United States, of the 20th instant, nominating Oliver Bowen, of Georgia, to be Marshal of the District of Georgia, in the room of Thomas Glasscock, resigned. Whereupon,

Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate proceeded to the consideration of the message of the President of the United States, of the 21st instant, and the nominations therein contained, of

Matthew Clarkson, of Pennsylvania, to be the Commissioner on the part of the United States, agreeably to the 21st article of the treaty of friendship, limits, and navigation, between them and His Catholic Majesty, to examine and decide the claims of the citizens of the United States for losses sustained in consequence of their vessels and cargoes having been taken by the subjects of his Catholic Majesty, during the late war between France and Spain;

Andrew Ellicott, of Pennsylvania, to be the Commissioner; and

Thomas Freeman, of the District of Columbia, to be the Surveyor, on the part of the United States, to run and mark the southern boundary of the United States, which divides their territory from the Spanish colonies of East and West Florida, agreeably to the second and third articles of the treaty of friendship, limits, and navigation, between the United States and his Catholic Majesty.

Whereupon,

Resolved, That they do advise and consent to the appointments respectively, agreeably to the nominations.

Ordered, That the Secretary lay this resolution before the President of the United States.

WEDNESDAY, MAY 25, 1796.

The following written message was received from the President of the United States, by Mr. Craik, his Secretary:

Gentlemen of the Senate:

I nominate Harrison Gray Otis, of Massachusetts, to be the Attorney of the United States for that District.

Go. WASHINGTON.

UNITED STATES, *May 24*, 1796.

The message was read.

Ordered, That it lie for consideration.

THURSDAY, MAY 26, 1796.

The Senate considered the message of the President of the United States, of the 24th instant, and the nomination therein contained, of

Harrison Gray Otis, of Massachusetts, to be Attorney of the United States for that District.

Whereupon,

Resolved, That they do advise and consent to the appointment, agreeable to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

SATURDAY, MAY 28, 1796.

The following written messages were received from the President of the United States, by Mr. Craik, his Secretary:

Gentlemen of the Senate:

I nominate Ebenezer Tucker, of New Jersey, to be Collector and Inspector of the Revenue, for the District of Little Egg Harbor, in that State.

Roger Boyce, of Maryland, to be Collector and Inspector of the Revenue, for the District of Havre de Grace, in Maryland.

Asa Andrews, of Massachusetts, to be Collector and Inspector of the Revenue, for the District of Ipswich, in Massachusetts.

Go. WASHINGTON.

UNITED STATES, *May 28th*, 1796.

Gentlemen of the Senate:

I nominate Simeon De Witt, of New York, to be Surveyor General.

Go. WASHINGTON.

UNITED STATES, *May 28*, 1796.

Gentlemen of the Senate:

I nominate John Quincy Adams, at present Minister resident of the United States at the Hague, to be their Minister Plenipotentiary at Lisbon.

Go. WASHINGTON.

UNITED STATES, *May 28th*, 1796.

The messages were read.

Ordered, That they severally lie for consideration.

MONDAY, MAY 30, 1796.

The Senate proceeded to consider the messages of the President of the United States, of the 28th instant, and the nominations therein contained, of Ebenezer Tucker, of New Jersey, to be Collector and Inspector of the Revenue for the District of Little Egg Harbor, in that State.

Roger Boyce, of Maryland, to be Collector and Inspector of the Revenue for the District of Havre de Grace, in Maryland.

Asa Andrews, of Massachusetts, to be Collector and Inspector of the Revenue for the District of Ipswich, in Massachusetts.

Simcon De Witt, of New York, to be Surveyor General; and

John Quincy Adams, at present Minister resident of the United States at the Hague, to be their Minister Plenipotentiary at Lisbon.

Whereupon,

Resolved, That the Senate do advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

The following written message was received from the President of the United States, by Mr. Craik, his Secretary:

UNITED STATES, May 30th, 1796.

Gentlemen of the Senate:

I nominate Silas Talbot, of New York, and John Trumbull, of Connecticut, agents for the purpose of obtaining the release of impressed American citizens, and others sailing under the protection of the American flag; and to execute the other duties prescribed for such agents, by the act of Congress passed on the 28th of the present month, entitled "An act for the relief and protection of American seamen."

I nominate Jacob Mayer, a native citizen of Pennsylvania, to be Consul of the United States at the port of Cape François and its dependencies in the Island of St. Domingo.

Go. WASHINGTON.

The message was read.

Ordered, That it lie for consideration.

TUESDAY, MAY 31, 1796.

The Senate proceeded to consider the message of the President of the United States of the 30th instant, and the nominations therein contained, of Silas Talbot, of New York, and John Trumbull, of Connecticut, agents for the purpose of obtaining the release of impressed American citizens, and others sailing under the protection of the American flag, and to execute the other duties prescribed for such agents by the act of Congress passed on the 28th of the present month, entitled "An act for the relief and protection of American seamen;" and

Jacob Mayer, a native citizen of Pennsylvania, to be Consul of the United States at the port of Cape François and its dependencies, in the Island of St. Domingo. Whereupon,

Resolved, That the Senate advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

WEDNESDAY, JUNE 1, 1796.

The following written message was received from the President of the United States, by Mr. Craik, his Secretary:

UNITED STATES, *June 1, 1796.*

Gentlemen of the Senate:

I nominate the following persons for appointments in the army of the United States.

John Wilkins, of Pennsylvania, to be Quartermaster General, vice O'Hara, resigned.

Joseph Philips, Surgeon's Mate in the first Sub-Legion, to be Surgeon of the third Sub-Legion, vice Heyward, resigned.

David Davis, to be Surgeon's Mate in the first Sub-Legion, vice Philips, promoted.

Cyrus Dart, to be Surgeon's Mate in the second Sub-Legion, vice Strong, resigned.

Charles Rodes, to be Surgeon's Mate in the corps of Artillerists and Engineers, vice Griffith, resigned.

Samuel Osborne, to be Surgeon's Mate in the corps of Artillerists and Engineers, vice Brewster, resigned.

Go. WASHINGTON.

The message was read. Whereupon,

Resolved, That the Senate do advise and consent to the appointments respectively, agreeably to the nominations.

Ordered, That the Secretary lay this resolution before the President of the United States.

Attest:

SAM: A. OTIS, *Secretary.*

END OF THE ELEVENTH SESSION.